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FACSIMILE TRANSMITTAL SHEET

Deliver to: Examiner Chun Cao, Art Unit 2185

Firm Name: U.S. Patent & Trademark Office

Fax Number: 703-746-7239

From: John P. Ward **Operator:** Anne Collette

Date: November 16, 2004

App. No.: 09/608,159

No. of pages: 5 (including cover sheet)

Client/Matter: 042390.P8701 **Docket Date:** 11/16/04 **Atty:** APS

Dear Examiner:

Please find the following document(s) attached:

- 1) Fee Transmittal (1 page)
- 2) Response to Office Action (3 pages)

Thank you.

| | |
|---|--------------------------------|
| CERTIFICATE OF TRANSMISSION | |
| I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. | |
| By: <u>Anne Collette</u> Anne Collette | Date: <u>November 16, 2004</u> |

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PTO/SB/17 (10-04v2)

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00)

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | 09/608,158 |
| Filing Date | June 30, 2000 |
| First Named Inventor | Jeffrey R. Wilcox |
| Examiner Name | Chun Cao |
| Art Unit | 2185 |
| Attorney Docket No. | 042390.P8701 |

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:Deposit Account Number
Deposit Account Name

02-2666

Blakely, Sokoloff, Taylor & Zafman LLP

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-------------------|--------------|------------------------|---------------|-----------------|----------|
| 1001 790 | 2001 395 | Utility filing fee | | | |
| 1002 350 | 2002 175 | Design filing fee | | | |
| 1003 550 | 2003 275 | Plant filing fee | | | |
| 1004 790 | 2004 395 | Reissue filing fee | | | |
| 1005 160 | 2005 80 | Provisional filing fee | | | |
| SUBTOTAL (1) (\$) | | | | | 110.00 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------|--|----------------------|
| | | -20** | = <input type="text"/> X <input type="text"/> 18 | <input type="text"/> |
| | | -3** | = <input type="text"/> X <input type="text"/> 88 | <input type="text"/> |
| | | | | |

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description |
|-------------------|--------------|--|---------------|-----------------|
| 1202 18 | 2202 9 | Claims in excess of 20 | | |
| 1201 88 | 2201 44 | Independent claims in excess of 3 | | |
| 1203 300 | 2203 150 | Multiple dependent claim, if not paid | | |
| 1204 88 | 2204 44 | ** Reissue independent claims over original patent | | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | | |
| SUBTOTAL (2) (\$) | | | | |

**or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-----------------------------------|---------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 430 | 2252 215 | Extension for reply within second month | |
| 1253 980 | 2253 490 | Extension for reply within third month | |
| 1254 1,530 | 2254 785 | Extension for reply within fourth month | |
| 1255 2,080 | 2255 1,040 | Extension for reply within fifth month | |
| 1401 340 | 2401 170 | Notice of Appeal | |
| 1402 340 | 2402 170 | Filing a brief in support of an appeal | |
| 1403 300 | 2403 150 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to Institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,370 | 2453 685 | Petition to revive - unintentional | |
| 1501 1,370 | 2501 685 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 245 | Design issue fee | |
| 1503 660 | 2503 330 | Plant issue fee | |
| 1460 130 | 1480 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1808 180 | 1808 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 790 | 2809 395 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 790 | 2810 395 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 790 | 2801 395 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | |
| *Reduced by Basic Filing Fee Paid | | | |
| SUBTOTAL (3) (\$) | | | 110.00 |

(Complete if applicable)

| | | | | | |
|-------------------|---|-----------------------------------|--------|-----------|-------------------|
| Name (Print/Type) | John Patrick Ward | Registration No. (Attorney/Agent) | 40,216 | Telephone | 408-720-8300 |
| Signature |  | | | Date | November 16, 2004 |

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NOV 16 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/608,159 Confirmation No. 1109
Inventor : Jeffrey R. Wilcox
Filed : June 30, 2000
TC/A.U. : 2185
Examiner : Cao, Chun

Docket No. : 042390.P8701

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action of July 16, 2004, please amend the above-identified application as follows:

Remarks/Arguments begin on page 2 of this paper.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

By: Anne Collette
Anne Collette

Date: November 16, 2004